

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MARIA RUSCELLI,

Plaintiff,

-against-

THE DEPARTMENT OF EDUCATION OF THE CITY
OF NEW YORK,

**NOTICE OF MOTION TO
DISMISS THE COMPLAINT**

No. 23-CV-07475 (AMD) (LB)

Defendant.

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PLEASE TAKE NOTICE that, upon, the accompanying Memorandum of Law, and all the papers and proceedings herein, Defendant The Department of Education of the City of New York, will move this Court, before the Honorable Ann M. Donnelly, United States District Judge, Eastern District of New York, at the United States Courthouse located at 225 Cadman Plaza East, Brooklyn, New York, 11201, on a date and time to be designated by the Court, for an order and judgment, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing Plaintiff's claims of religious discrimination, failure to accommodate, violations of Due Process and fraud in the inducement pursuant to Title VII, 42 U.S.C. § 1983, Stigma Plus, Education Law §3020 and §3020-a, the New York State Constitution, the New York State Human Rights Law, the New York City Human Rights Law, as well as Plaintiff's claims advanced pursuant to the First Amendment and Fourteenth Amendment of the United States Constitution.

Dated: New York, New York
December 29, 2023

HON. SYLVIA O. HINDS-RADIX
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Assistant Corporation Counsel

By: /s/ Roosevelt B. Ettienne
Roosevelt B. Ettienne, Esq.
Assistant Corporation Counsel

TO: Maria Ruscelli (**Via Certified Mail, First Class Mail, and Email**)
Plaintiff – Pro Se
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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MARIA RUSCELLI,

Plaintiff,

-against-

THE DEPARTMENT OF EDUCATION OF THE CITY
OF NEW YORK,

Defendant.

**NOTICE OF DEFENDANT'S MOTION TO
DISMISS THE COMPLAINT**

HON. SYLVIA O. HINDS-RADIX

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New York, New York 10007

Of Counsel: Madeleine A. Knutson

Tel: (212) 356-2445

Matter #: 2023-099411

Due and timely service is hereby admitted.

New York, N.Y., 2023

....., Esq.

Attorney for